

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:	§	
	§	Case No.: 08-37213
Briarwood-Houston, L.P.,	§	
d/b/a La Casita Apartments	§	Chapter 11
	§	
Debtor.	§	

**ORDER GRANTING THE CITY OF HOUSTON’S EMERGENCY MOTION TO
APPOINT A CHAPTER 11 TRUSTEE PURSUANT TO SECTION 1104
OF THE BANKRUPTCY CODE**

Upon consideration of the Emergency Motion to Appoint a Chapter 11 Trustee Pursuant to Section 1104 of the Bankruptcy Code (the “Motion”) filed by the City of Houston (the “City”), any responses thereto, the evidence presented at the hearing, the arguments of counsel, the Court after due deliberation and sufficient cause appearing therefore, and after finding that such relief is in the best interests of Briarwood-Houston, L.P.’s (“Briarwood”) estate, its creditors and all parties-in-interest, hereby GRANTS the Motion. It is THEREFORE

ORDERED that the Motion is hereby GRANTED for the reasons set forth therein; and it is further

ORDERED that the U.S. Trustee shall, after consultation with the City, forthwith appoint a chapter 11 trustee pursuant to 11 U.S.C. § 1104 to serve in the above captioned proceeding for Briarwood’s estate; and it is further

ORDERED that the chapter 11 trustee shall have the authority to operate and maintain Briarwood’s property, including the La Casita Apartments; and it is further

ORDERED that neither management of Briarwood nor any other person or entity shall interfere with the chapter 11 trustee in the performance of his/her duties; and it is further

ORDERED that management of Briarwood shall give the trustee full, complete and unfettered access to all books, records, assets, employees and properties; and it is further

ORDERED that the City shall not be required to post a bond as contemplated by Fed. R. Bankr. P. 2001(c).

SIGNED:

UNITED STATES BANKRUPTCY JUDGE